8368548/2024/SEC-II-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Environment, Forests, Science & Technology Department - Diversion of 0.99 ha. (Bit-I:0.37 ha and Bit-II:0.62 ha) of forest land in Compartment No.99 of Oduru RF, Kadivedu Beat, Naidupet Range, Tirupati division for formation of road from @km 123/4 NH-5 (Patragunta) to Punapavaripalem in Chillkur Mandal, Tirupati district in favour of Executive Engineer, Panchayat Raj (PIU) division, Nellore - In-principle (Stage-1) approval - Accorded.

ENVIRONMENT, FORESTS, SCIENCE &TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.3 **Dated:04.01.2024**

Read the following:-

1)GoI, MoEF&CC, New Delhi guidelines in Lr.F.No.5-2/2017-FC, dated 28.03.2019.
2)From the PCCF & HoFF, Lr.Ref. No. EFS02-15034/22/2023-FCA SEC-PCCF/FCA-1, dated 14.12.2023.

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ORDER:

In the letter 2nd read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has submitted a proposal for diversion of 0.99 ha. (Bit - I:0.37 ha and Bit-II:0.62 ha) of forest land in Compartment No.99 of Oduru RF, Kadivedu Beat, Naidupet Range, Tirupati division for formation of road from @km 123/4 NH-5 (Patragunta) to Punapavaripalem in Chillkur Mandal, Tirupati district in favour of Executive Engineer, Panchayat Raj (PIU) division, Nellore and requested to consider the proposal and take necessary action in accordance with guidelines issued by Government of India, Ministry of Environment, Forests & Climate Change, vide letter 1st read above under general approval category.

2. After careful examination of the proposal and in exercise of the powers delegated to State Government in the guidelines issued by Government of India, Ministry of Environment, Forests & Climate Change, in the letter 1st read above, the Government hereby accord in-principle (Stage-1) approval under Section-2 of the Forest (Conservation) Act, 1980, for diversion of 0.99 ha. (Bit-I:0.37 ha and Bit-II:0.62 ha) of forest land in Compartment No.99 of Oduru RF, Kadivedu Beat, Naidupet Range, Tirupati division for formation of road from @km 123/4 NH-5 (Patragunta) to Punapavaripalem in Chillkur Mandal, Tirupati district in favour of Executive Engineer, Panchayat Raj (PIU) division, Nellore, subject to the following conditions: -

i. Legal status of the diverted forest land shall remain unchanged;

ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency;

iii. The State Forest Department shall carry out plantation and its maintenance of 100 numbers of trees in the nearby degraded forest area at the cost of the User Agency. Details like map, kml, CA scheme etc. for such DFL area shall be submitted along with the compliance report and uploaded in the online application;

iv. The State Forest Government shall charge the Net Present Value of the diverted forest land measuring 0.99 ha from the User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995 and Ministry's guideline No.5-3/2011-FC(Vol-I) dated 06.01.2022 and clarification issued vide letter dated 19.01.2022 and 22.03.2022;

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v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Forest Government from the User Agency. The User Agency shall furnish an undertaking to this effect;

vi. All the funds received from the User Agency under the project shall be transferred/deposited to CAMPA funds only through e-portal(https://parivesh.nic.in);

vii. Required number of Animal Passages with appropriate specifications as per the MoEF and WII guidelines shall be constructed at the cost of the User Agency in consultation with forest department for easy movement of wild animals and required wildlife mitigation measures may also be implemented at the cost of the User Agency;

viii. The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;

ix. Construction of culverts/bridges, if any, over the natural streams/rivers/canals shall be done in such a manner that it does not hamper the natural course of water, does not give rise to water- logging, and also does not hamper movement of wild animals;

x. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;

xi. **No tree felling shall be carried out in the diverted forest area;**

xii. The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;

xiii. The User Agency shall raise and maintain multiple row avenue plantation as per NH model on either side of the road at the project cost;

xiv. The speed control structures such as Rumble strips shall be provided in the road passing through Forest Area;

xv. Necessary signages for attention of road commuters regarding the movement of wildlife will be placed on roadside at regular intervals;

xvi. The layout plan of the proposal shall not be changed without the prior approval of the State Government;

xvii. The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;

xviii. Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;

xix. The total forest area utilized for the project shall not exceed 0.99 **ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect;

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xx. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;

xxi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

xxii. The User Agency and the State Forest Department shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

xxiii. Any other conditions that the Central Government or State Government may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;

xxiv. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the provisions Act and Rules and Guidelines issued under FCA, 1980.

xxv. The State Forest Department shall process and submit compliance report on the above conditions through online(https://parivesh.nic.in/);

3. After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in- principle approval shall be valid for a period of 5 years from the date of issue of this order. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

4. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Mangalagiri, Guntur.

Copy to:

1)The IGF, RO (HQ) Division, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003 for information.
2)The Inspector General of Forests (Central)
Government of India,
Ministry of Environment, Forests & Climate Change,
Sub-Office of the Regional Office, Chennai,
Green House Complex, Gopal Reddy Road, Vijayawada-520010 for information.
The Executive Engineer, Panchayat Raj (PIU) division, Nellore.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER